

Kentucky



Gazette.

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D. BRADFORD, Editor.

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Conclusion of the Documents referred to in the Special Message relative to the French Indemnity.

No. 3.—Mr Barton to the Duke de Broglie.

LEGATION OF U. S. OF AMERICA,
Paris, 24th Oct. 1835.

His Excellency Duke de Broglie,
Minister for Foreign Affairs.

MONSIEUR LE DUC: Having executed to the letter the last instructions of my Government, in the interview which I had the honor to have with your excellency on the 20th of this month, in order further to comply with those instructions, I am about to return to the United States. Before leaving France, however, I have thought that it might not be altogether useless to address your excellency, and to submit to you the conversation which then took place between us, word for word, as I understand it. In pursuing this course, I am prompted by a double motive; first, by a sincere desire to avoid even the slightest misunderstanding as to the precise meaning of any expressions used on either part; and also with a view, in presenting myself to my government, to furnish indisputable proof of my fidelity in executing the instructions with which I had the honor to be charged. This last motive, Monsieur le Duc, does not interest you personally, but the first, I am sure, will not appear without importance in your eyes.

Having said that I was instructed to employ both language and manner the most conciliatory, I begged you to believe, should any thing appear to you not to partake of that character, that the fault must be attributed to me alone, and not to my Government, as in that case I should be certain that I neither represented its dispositions nor faithfully obeyed its orders.

I began the conversation by informing you that I had requested an interview by order of my Government, and that on the result of that interview would depend my future movements. I said that I was ordered to convey to the French Government assurances of the very lively satisfaction felt by the President on receiving the news and confirmation of the King's safety; and that I was further instructed by the Secretary of State to assure you personally of his high consideration. After an obliging answer of your excellency, I had the honor to submit the following questions:

"I am instructed by my Government to inquire of your excellency what are the intentions of His Majesty's Government in relation to the funds voted by the Chambers?"

And I understood you to make the following answer:

"Having written a despatch to His Majesty's Charge d'Affairs at Washington, with instructions to communicate it to Mr. Forsyth, I have nothing to say in addition to the despatch."

I said "I am also instructed to inquire of your excellency whether His Majesty's Government is ready to pay those funds?"

And you returned this answer: "Yes, in the terms of the despatch."

I added, "I am instructed to add another question—Will His Majesty's Government name any fixed determinate period when they will be disposed to pay those funds?"

To this question, the following was your excellency's answer, as I understood it: "To-morrow, if necessary; when the Government of the United States shall, by a written official communication, have expressed its regret at the misunderstanding which has taken place between the two Governments; assuring us that this misunderstanding was founded on an error, that it did not intend to call in question the good faith of His Majesty's Government; the funds are there, we are ready to pay. In the despatch to M. Pageot, we gave the views

of our Government on this question.—Mr. Forsyth not having thought proper to accept a copy of that despatch, and having said that the Government of the United States could not receive a communication in such a form, I have nothing to add. I am forced to entrench myself behind that despatch. If the Government of the United States does not give this assurance, we shall be obliged to think this misunderstanding is not the result of an error, but of so little importance, that I hesitated to notice it.

Receive, sir, the assurance of my high consideration,

Finally, sir, after having said, "If the Government of the United States does not give this assurance, we shall be obliged to think that this misunderstanding is not the result of an error," I did not add, "and the business will stop there." The last error is, however, of so little importance, that I hesitated to notice it.

Receive, sir, the assurance of my high consideration,

V. BROGLIE.

No. 5.—Mr. Barton to Duke de Broglie.
F.

LEGATION OF U. S. OF AMERICA,
Paris, Nov. 6, 1835.

MONSIEUR LE DUC: Having been recalled by my Government, I have the honor to request that your excellency will be pleased to cause passports to be prepared, to enable me to proceed to Havre, thence to embark for the United States, and for my protection during the time I may find it necessary to remain in Paris. I am instructed to give as a reason for my departure the non-execution on the part of His Majesty's Government of the convention of July 4th, 1831.

I avail myself of this opportunity, Monsieur le Duc, to renew the assurances of very high consideration with which I have the honor to be, your excellency's most obedient, humble servant,

THO. P. BARTON.

His excellency, Duke de Broglie,
Minister of Foreign Affairs, &c.

No. 6.—Duke de Broglie to Mr. Barton.
[TRANSLATION.]

To Mr. Barton, Charge d'Affairs
of the U. S. of America.

Paris, Nov. 8th, 1835.

SIR: Having taken His Majesty's orders with regard to your communication of the 6th instant, I have the honor to send you herewith the passports which you requested of me. As to the reasons which you have been charged to advance, in explanation of your departure, I have nothing to say, (*je n'ai point à m'y arrêter*) The Government of the United States, sir, knows that upon itself depends henceforward the execution of the treaty of July 4th, 1831.

Accept, sir, the assurance of my high consideration.

V. BROGLIE.

No. 7.—Mr. Forsyth to M. Pageot.
DEPARTMENT OF STATE,
Washington, 29th June, 1835.

M. Pageot,
Charge d'Affairs, &c. &c.

SIR: Having the honor to acquaint you, for the information of your Government, that the Secretary of the Treasury has, in conformity with the provisions of the act of Congress of the 13th of July, 1832, designated the Messrs. de Rothschild, Brothers, of Paris, as agents to receive the payments from time to time due to this Government under the stipulations of the convention of 4th of July, 1831, between the United States and His Majesty the King of France; and that the President has granted a special power to the said Messrs. de Rothschild, Brothers, authorizing and empowering them, upon the due receipt of the same, to give the necessary acquittances to the French Government, according to the provisions of the convention referred to.

The power given to the Messrs. de Rothschild will be presented by them whenever the French Government is ready to make the payments.

I have the honor to be, sir, your obedient servant,

JOHN FORSYTH.

No. 8.—M. Pageot to Mr. Forsyth.
[TRANSLATION.]

WASHINGTON, June 29, 1835.

To the Hon. Mr. Forsyth,
Secretary of State:

SIR: I have received the letter which you did me the honor to address to me this day, and by which you communicate to me, for the information of my Government, that the Secretary of the Treasury, in virtue of the act of Congress of July 13th, 1832, has appointed Messrs. de Rothschild, Brothers, at Paris, agents for receiving, as they become due, the several payments of the sum stipulated as indemnification, by the convention concluded on the 4th of July, 1831, between His Majesty the King of the French and the United States of America.

I lost no time, sir, in transmitting this communication to my Government; and I embrace this opportunity to offer you the assurance of the high consideration with which I have the honor to be, your most humble and obedient servant,

A. PAGEOT.

No. 9.—M. Pageot to Mr. Forsyth.
[TRANSLATION.]

WASHINGTON, Dec. 1, 1835.

To the Hon. John Forsyth,
Secretary of State of the U. S.

SIR: On the 11th of September last, I

had the honor, as I was authorized, to read to you a despatch which his excellency the Minister of Foreign Affairs had addressed to me on the 17th of June previous, respecting the state of the relations between France and the United States. The object of this communication was to make known to the Cabinet of Washington, in a form often employed, the point of view from which the King's Government regarded the difficulties between the two countries, and to indicate the means by which, in its opinion, they might be terminated in a manner honorable to both Governments. I was also authorized to allow you, in case you should desire it, to take a copy of this despatch; but, contrary to the expectation which diplomatic usage in such cases permitted me to entertain, you thought proper to refuse to request it.

I regretted this resolution of yours, sir, at the time, because, in the first place, it appeared to be at variance with (*s'ecarter de*) that conciliatory spirit which so particularly characterized the communication just made to you; and next, as it seemed in a manner to deprive the Cabinet of Washington of the means of knowing, in their full extent, the views of the King's Government, of which an attentive examination of the Duke de Broglie's letter could alone have enabled it to form a just estimate.

These regrets, sir, have not diminished, and at the moment when the President is about to communicate to Congress the state of the relations between France and the U. S. States, I consider it useful and necessary, for the interests of all, to endeavor to place him in possession of all the facts which may afford him the means of giving an exact account of the real dispositions and views of the King's Government on the subject of the existing difficulties.

With this intention, and from desire

to neglect nothing which, by offering to the American Government another opportunity of making itself acquainted minutely with the highly conciliatory sentiments of His Majesty's Government, may contribute to restore good understanding between the Cabinets of Paris and Washington, I have the honor to transmit to you a copy of the Duke de Broglie's despatch, and to request you to place it under the eye of the President.

I embrace this opportunity, sir, to renew to you the assurance of the high consideration with which I have the honor to be,

A. PAGEOT.

To the Hon. John Forsyth,
Secretary of State of the U. S.

WASHINGTON, Dec. 5, 1835.

SIR: I yesterday evening received the letter which you did me the honor to write to me on the 3d of this month; with it, you return to me the copy of a despatch which I had transmitted to you two days before, and the original of which was addressed to me on the 17th of June last, by his excellency the Minister of Foreign Affairs.

I will not seek, sir, to disguise from you the astonishment produced in me by the return of a document so very important in the present state of the relations between the two countries; neither will I undertake to reply to the reasons on which this determination of yours is based.

My intention in communicating this document to you, in a form not only sanctioned by the diplomatic usages of all nations and all ages, but also the most direct which I could possibly have chosen, was to make known the real dispositions of my Government to the President of the United States, and through him to Congress and the American People; conceiving that, in the existing situation of the two countries, it was essential that each Government should fully comprehend the intentions of the other. This consideration appeared to me paramount to all others. You have judged otherwise, sir; and you have thought that, whatever might be the importance of a communication, it was proper, before receiving it, to examine whether the form in which it came to you was strictly accordant with the usages necessary, in your opinion, to be observed in diplomatic transactions with the Government of the Republic. I will not insist farther. I have fulfilled all the duties which appeared to be prescribed for me, by the spirit of reconciliation in conjunction with the respect due by me to all communications from my Government; and nothing more remains for me, than to express my deep regret that the misunderstanding between the two Governments, already so serious, should be kept up, not by weighty difficulties which involve the interests and the dignity of the two countries, but by questions of form, as uncertain in their principle as doubtful in their application.

I have the honor, sir, to renew to you the assurances of my high consideration.

A. PAGEOT.

To the Hon. John Forsyth,
Secretary of State:

SIR: I have the honor to announce to you that, in consequence of the recall of Mr. Barton, the King's Government has given me orders to lay down the char-

acter of Charge d'Affairs of His Majesty near the Government of the United States. I shall, therefore, immediately begin the preparations for my return to France; but in the meantime, I think proper to claim the protection of the Federal Government during the period which I may consider it necessary to remain in the United States.

I have the honor to be, with the most distinguished consideration, sir, your most humble and obedient servant,

A. PAGEOT.

No. 13.—Mr. Forsyth to M. Pageot.

DEPARTMENT OF STATE,
Washington, Jan. 2, 1836.

M. Alphonse Pageot, &c.

SIR: I have the honor to acknowledge your note of this day's date, in which you announce that you have the order of your Government, given in consequence of the recall of Mr. Barton, to lay aside the character of Charge d'Affairs of the King of France near the Government of the United States. The protection of the Federal Government is due, and will, of course, be extended to you, during the time necessary for your preparations to return to France.

I am, sir, with great consideration, your obedient servant,

JOHN FORSYTH.



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Richard M. Johnson,
OF KENTUCKY.

From the Globe.

THE DUC DE BROGLIE'S LETTER.

It will be seen that Mr. Pageot, before leaving our shores, has given publicity to the French Minister's letter. This paper, not being addressed to our Government, could not be responded to by a direct communication to the French authorities. The French Executive—by the recall of his representative, Mr. Serrurier, and by the express declaration of one of the members of the cabinet to the Chambers, that he had closed all direct diplomatic communication between the Governments—had given the world to understand, that the intercourse thereafter to be held would not be immediate and official, as between the Heads of the Governments. That letter to Mr. Pageot, therefore, was informal—was a circuitous intimation of the expectations of France. It was to be considered by him, a private, a confidential communication, of which the American Administration might avail itself, if it deemed proper to approach an adjustment of our difficulties. It will not be said, we presume, by any American, that after the door of direct communication had been closed between the French and American Executive, by the former, that the latter should have condescended to make a communication to Mr. Pageot, and attempted to satisfy him, by groping through the indefinite letter of the Duke de Broglie for an idea of the apology, which, it now appears, was to be tendered as a condition precedent to the payment of the indemnity. If this sacrifice of the dignity of the Chief Magistrate of the Union had been resolved upon, we now see from the Duke's voluntary declaration to Mr. Barton, when the inquiry was made as to his determination about the payment of the indemnity, that it would not have been held sufficient. No informal, verbal explanation, such as the intercourse between Mr. Forsyth and Mr. Pageot alone permitted—nothing even which Mr. Forsyth could have addressed in writing informally to Mr. Pageot, in reference to his informal communication, would have been received as adequate. We now see from the note of the Duke de Broglie to Mr. Barton, that nothing short of an explicit declaration of the confidence in the good faith of the French Government, and a disavowal of an intention to menace the Government, on the part of the United States, "ADDRESSING ITS RECLAMATION TO US (the French Government) OFFICIALLY IN WRITING," and accompanied with the sorrowful assurance, "THAT IT REGRETS THIS MISUNDERSTANDING," would have sufficed. And what a figure would our Republic have made in the eyes of the world, if, in addition to the express disavowal of the message which it is pretended contained the menace—if, in addition to Mr. Livingston's first letter of 27th January, 1835, approved by the President, stating that the sincerity of the French Government was not doubted, and that no menace was intended—if, in addition to Mr. Livingston's letter of the 25th of April last, to the Duke de Broglie, reiterating the assurance of the first—communicating the President's approbation of its explanation—and repeating them—if, in addition to all this, the President had consented to repeat these explanations to the French Charge d'Affaires, what would have been the posture of our Government if it had repeated them in vain? that they must have been repeated in vain is now clear. Nothing but a direct communication of *regrets, officially and in writing*, to a government which had closed, on its part, all direct diplomatic intercourse with us, would have been received; and if they had been tendered in conversation held by Mr. Pageot with Mr. Forsyth, it is apparent that the Charge must have declined considering them as sufficient. He would have said, my instructions give me to understand that your explanations and the expression of your regrets must be addressed to my government officially and in writing.

The President of the United States, as appears from his message, wisely resolved to take no part in the semi-official, subordinate game of diplomacy proposed to him. He has no art but simple honesty—he seeks no end which may not be attained by plain and round dealing. For all the courtesy reported to him as contained in the paper of the Duke de Broglie to Mr. Pageot, Mr. Forsyth was authorised to return courtesy. Mr. Forsyth heard it read with the utmost complaisance—but as it was not addressed to him he could not respond to it; and as he could not respond to it, he did not request a copy—but at the same time assured Mr. Pageot "that any direct communication from him as the representative of the King's government to me (Mr.

Forsyth,) embracing the contents of this despatch, &c. would receive an early and just consideration." Mr. Pageot, it seems, declined this overture, because, doubtless, he was instructed not to open the direct diplomatic intercourse between the two Governments, which had been closed by the King's order. But if the Duke de Broglie's object in having the contents of his letter to Mr. Pageot made known to this Government were only to have it understood, that "It did not ask for explanations; it was contented to expect them from the justice of the Government of the United States, and from the ancient friendship of the American nation, not doubting that the Government of the United States would appreciate the difference in such cases, between answering and interpellation, and preventing, by a spontaneous determination, by explanations readily offered, a misunderstanding always to be regretted"—has not this object been attained? Has not the President, in justice to his misconceived message, and from a regard to truth, in his last message, (a message delivered long since the French Minister said he would not ask for explanations, but hoped they would readily be offered) declared, "The conception that it was my intention to menace or insult the Government of France is as unfounded as the attempt to extort from the fears of that nation what her sense of justice may deny, would be vain and ridiculous?" Has he not said also, in the same message, that Mr. Livingston, in his letter of the 25th of January, "had repeated the disavowal contained in the Message itself of any intention to intimidate by menace,"—that "he truly declared that it contained, and was intended to contain, no charge of ill faith against the King of the French?" And does he not conclude by saying, that this direct and clear declaration had "his full approbation?"

If, then, a simple correction of the misconception of the French public was all that the French Chambers sought by their proviso, or the minister by his letter, they have it. They have nothing to do but to look into the same vehicle wherein they found the cause of offence, to find an absolute denial of the intention of which alone it was supposed to consist. The intention is disavowed—the whole object is explained, and every pretext of menace to the nation or personal insult to the King is dissipated.

But is there not reason to believe that that the Duke de Broglie had something else in view in his letter, than obtaining a "spontaneous" correction of the misunderstanding growing out of the general impression made by the message? He says of this paper:

"If we examine in detail the message of the President of the United States, (I mean that part of it which relates to the relations between the United States and France) it will possibly be found, that passing successively from phrase to phrase, none will be met that cannot bear an interpretation more or less plausible; none, of which, strictly speaking, it cannot be said that it is a simple expose of such or such a fact, true in itself, or the assertion of such or such a right, which no one contests, or the performance of such and such an obligation, imposed on the President by the very nature of his functions. There will certainly be found several in which the idea of impeaching the good faith of the French Government, or acting upon it through menace or intimidation, is more or less disavowed."

Here the Duke admits that there is nothing in the *phrases—facts—or assertions* of the message, not reconcilable to propriety—and after saying that "it is not so, or at least we hope it is not so," he adds:

"But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, this or that allegation, this or that expression; we contend about the intention itself, which has dictated that part of the message. If it be true that the President of the United States, in presenting to Congress a statement of the facts connected with the treaty of the 4th July, had no intention to cast a doubt on the good faith of the French Government; if it be true that the President of the United States, in proposing to Congress to decree the seizure, by force of arms, of French property, had not the intention to assume with regard to France a menacing attitude, we cannot see how he could find any difficulty in declaring it."

Well, he has declared it—declared it officially, and in the same form and in the same sort of paper in which the menacing attitude was supposed to be discovered—and now we learn through the voluntary communication of the French minister to Mr. Barton, that something else was expected.

That something else was expected is evident, too, from the use which Mr. Pageot made of the Duke's letter. He has seen the President's message, and knows that it contains all that is necessary to correct the misunderstanding of the first message; but it does not recognise the right of the French Government to interfere in our domestic councils, or the right to hold the nation responsible for the recommendation of an act by one of its functionaries, which could only be ascertained by reading that paper. As long as the amendment was but a simple project, the initiative of which did not even belong to the Government, I thought proper to abstain from entering into any controversy on this subject with the minister of a foreign government. Now that that project has become a law by the concurrence of the two Chambers, and the sanction of the King, it is my duty to justify it against objections which are utterly groundless.

ed itself fully. But it seems not to have been intended merely as an intimation, informal, but full and frank, to enable those for whose eye it was intended to measure the whole scope of its author's aim—on the contrary it appears to be an artful diplomatic paper, intended to disguise the real objects of its author, and meant to operate on the American people—not the American Executive. Why did Mr. Pageot, instead of leaving this paper after it was read by him to the Secretary of State to have its salutary influence upon the American Administration, impart the contents of this confidential despatch to the enemies of the Administration? Why was this document put into the hands of a Senator, & made the text for the opposition in that body, and the theme of its editorial organ, on which to predicate a charge against the Government of having rejected pacific overtures?

When Mr. Pageot first communicated this paper to us, we considered it as a paper designed to propitiate, by the courtesy and kind temper displayed in certain portions of it, a conciliatory feeling among those desirous of seeing the Administration disengaged from the difficulty produced by the failure of France to comply with the treaty. But when we found that Mr. Pageot had committed his counsels to those who had produced the false impression with regard to the first message of which the French ministry complained—when we found that the French Government insisted upon a species of explanation not hinted at in the private letter of the Duke, which Mr. Pageot was busy in making public, and perverting to the purpose of deceiving some into the belief, that the French feeling was altogether pacific; when, in fact, the French Government had resolved on requiring what it knew, upon the authority of Mr. Livingston's letter, as approved by the President, was altogether inadmissible—and when, lastly, we find Mr. Pageot, on the eve of his departure, publishing this letter as an appeal to the American people, we cannot doubt that is the object now, however it was at first intended, to make this letter a cover for the hostile designs meditated by France, and a sort of shelter for the opposition in this country—those, at least, who will consent to become the allies of France.

DUC DE BROGLIE'S LETTER.

Translated for the New York Journal of Commerce.

PARTS, 17th June, 1835.

SIR: There no longer exists on our part any obstacle to the entire accomplishment of the treaty concluded on the 4th of July, 1831, between France and the United States. The project of law relative to the indemnities reciprocally stipulated in that treaty, after having successively passed the two Chambers, has received the royal sanction.

I say on our part; for every thing now depends on the Government of the United States: it belongs to them to remove the only obstacle that still subsists.

By virtue of a clause inserted in Art. 1st by the Chamber of Deputies, the French Government must defer making the payments agreed upon, until that of the United States shall have explained the true meaning and real purport of divers passages inserted by the President of the Union in his message at the opening of Congress, and at which all France at the first aspect was justly offended.

The Government having discovered nothing in that clause at variance with its own sentiments, or the course which it had intended to pursue; the project of law, thus amended on the 18th of April by the Chamber of Deputies, was carried on the 27th to the Chamber of Peers. I herewith annex the *expose* which accompanied it. That document will show you, in a few words, in what light we consider the respective conditions of the two countries. I also annex the report of the committee, presented to the Chamber of Peers, on the 5th of June. You will thereby see how far that House concurred in the opinion of the Chamber of Deputies.

Mr. Livingston has left Paris, without waiting for the vote of the Chamber of Peers, leaving Mr. Barton as Charge d'Affairs. The letter by which he accredited him to the French Government, is of the 28th of April. You will find a copy of it subjoined.

In a note dated 27th, Mr. Livingston assigns as the cause of his departure, the silence observed by the French Government in relation to a previous note of the 18th, in which that minister, agreeably to orders from his government, demanded the explanation of an expression made use of by Mr. Serrurier, in a note he passed to Mr. Forsyth at the time he left. That explanation, sir, we will

show ourselves very willing to furnish, if it should be asked for again, when we ourselves shall have received those which we have a right to expect.

Annexed are copies of the two notes of the 18th and 27th.

On the 25th, Mr. Livingston had addressed to me a third note of great length, in which, whilst he forbore making allusion to the amendment introduced by the Chamber of Deputies, he fully enters into its principle and probable consequences, as you may ascertain by reading that paper. As long as the amendment was but a simple project, the initiative of which did not even belong to the Government, I thought proper to abstain from entering into any controversy on this subject with the minister of a foreign government. Now that that project has become a law by the concurrence of the two Chambers, and the sanction of the King, it is my duty to justify it against objections which are utterly groundless.

I shall first recall a few facts. The project of law relative to the execution of the treaty signed on the 4th July, 1831, had been presented three times to the Chamber of Deputies, viz: the 6th of April, 1833; the 11th of June of the same year, and the 13th of January, of the year following, when it was rejected by a majority of 8 votes, on the 1st April, 1834.

The news of its rejection was known at Washington on the 6th of May, through a packet which sailed from Liverpool on the 6th April.

On the 4th of June, Mr. Serrurier informed the Secretary of State, that the King's Government had determined to present anew the project of law at the next session of the Chambers. The loss of the bill having occasioned the resignation of the Minister who had signed it, and this circumstance having caused different changes in the Cabinet, the Government could not definitely adopt that determination until the 8th of April.

The brig Le Curassier, bearer of new instructions to Mr. Serrurier, had more over met with a long and stormy passage.

At the express request of Mr. McLane, then Secretary of State, Mr. Serrurier communicated, the next day, in writing, the declaration which he had already made verbally. His note is dated the 5th of June.

The reply of Mr. McLane is of the 27th. In this reply, Mr. McLane states in express terms, in the name of his Government, that the President of the United States will rely on the assurance Mr. Serrurier has been instructed to give him, and will wait hereafter with confidence for the appeal that is to be made to the new Chamber.

Mr. Serrurier, in his note of the 5th of June, had incidentally observed that it was the intention of the French Government to present again the rejected law at as early a period as our Constitution would permit. That intention was real; our desire was sincere, but it naturally followed from the very nature and terms of the engagement, that it referred to no particular and fixed period; that it was left dependent either upon the different exigencies of our internal situation, or upon the object which both governments were equally anxious to obtain.

In the month of August, the Chambers were assembled, but merely for form, and for the sole purpose of complying with the provisions of the 42d article of the charter. No project of law was either presented or discussed.

Mr. Livingston at Paris, and the President of the United States at Washington, having seemed to regret that the opportunity of this accidental meeting had not been embraced, to place again before the Chambers the project of the law relative to the treaty of the 4th of July, it was easy to make them understand, that in acting with that precipitancy, we would not only have departed from all established usage, but compromised, instead of securing the passage of the law.

The same considerations were very naturally opposed to the request made at a subsequent period by Mr. Livingston for a special session in the fall. That minister must no doubt have urged them with his Government, since the latter showed itself entirely convinced of their validity and justness.

The new Secretary of State, Mr. Forsyth, said in the month of October to Mr. Serrurier, the President readily understands why this business has not been taken up at the opening of the session in August; he can now account for the fact, that the demand made by Mr. Livingston of a special session in the fall was declined. Mr. Forsyth, it is true, added that the President could not understand why the convocation of the Chambers had been delayed until the last days of December, instead of the beginning of that month. But that observation falls before the fact, that, by a concurrence of particular circumstances on which it would be useless to dwell, this meeting of the Chambers did in reality take place on the 1st December.

Nothing, consequently, could prepare the French Government for the language of the message sent by the President to Congress. We were aware that that message would contain a statement of the transactions connected with the treaty of the 4th of July. Mr. Forsyth had, on the 19th of November, given notice of it to Mr. Serrurier. But Mr. Forsyth had at the same time informed that minister, that the President would simply advise Congress to wait for the decision of the Chambers.

What must then have been our astonishment when the message reached this side of the Atlantic! And could it be expected that the French Government, after having fulfilled the double duty of satisfying its own dignity by recalling its minister from Washington, and of redeeming the faith of treaties by obtaining from the Chambers the appropriation necessary to the completion of the Convention of the 4th of July; after having tendered to the minister of the United States his passport—could it be expected, I repeat, that the French Government would not wait before it resumed any communication on the subject with the Government of the Union; and before it renewed with it the interrupted relations that the latter would come forward and express itself in terms calculated to dispel the unfortunate interruptions to which the message had given rise.

To state such a doctrine, is to refute it.

However, sir, we do not wish to exaggerate any thing. Mr. Livingston is perfectly right when he says that the cause which he supports, is, in a general sense, common to all free countries: That all Governments founded on the division of power, and on the publicity of debates, have an interest in repelling, on the part of foreign powers, any interference with the communications which the Prince and his ministers, in constitutional monarchies, and in republics

the magistrates entrusted with the executive power, are called upon to make to the legislature. And this is the reason, as Mr. Livingston very judiciously observes, that in France and in England, the language of the royal speeches is so reserved in its relations; and it is the same motive, as you will observe, sir, to the Cabinet of Washington, that has directed the conduct of France in relation to the message of President Jackson. If the expressions contained in that message had been inserted in a proclamation, or any other act of the executive power of the Union, we would at once have called for an explanation. Out of respect for the very nature of the act, the French Government deemed it a duty to manifest the sentiments it felt on that occasion, by instantly recalling its minister, and stating in communication the motives for that recall; but it did not ask for explanations; it was contented to expect them from the justice of the Government of the United States, and from the ancient friendship of the American nation, not doubting that the Government of the United States would appreciate the difference in such cases, between answering an interpellation, and preventing, by a spontaneous determination, by explanations readily offered, a misunderstanding always to be regretted.

so simple, so reasonable, that Mr. Livingston seems to wish to protest before-hand.

Mr. Livingston fully admits in his note of the 27th of April, the right of foreign Governments, to take proper exception to the acts and language of the Government which he represents.

"Should the President," he observes, "do an official executive act affecting a foreign power, or use exceptional language in addressing it through his minister, or through theirs; should a law be passed injurious to the dignity of another nation, in all these, and other similar cases, a demand for explanation would be respectfully received, and answered in the manner that justice, and regard to the dignity of the complaining nation would require."

But he maintains that these principles, the wisdom of which is evident, are not applicable to an act by which the President, sole representative of the nation towards foreign powers, gives to Congress an account of the situation of foreign relations.

"The utmost freedom," says Mr. Livingston—"the utmost freedom from all restraint in the details into which he is obliged to enter, of international concerns, and of the measures in relation to them, is essential to the proper performance of this important part of his functions. He must exercise them without having continually before him the fear of offending the susceptibility of the powers whose conduct he is obliged to note."

"Were any foreign powers," continues Mr. Livingston, "permitted to scan the communications of the Executive, their complaints, whether real or affected, would involve the country in continual controversies; for the right being admitted, it would be a duty to exercise it, by demanding a disavowal of every phrase they might deem offensive, and an explanation of every word to which an improper interpretation could be given. The principle therefore, has been adopted, that no foreign power has a right to ask for explanations of anything that the President, in the exercise of his functions, thinks proper to communicate to Congress or of any course he may advise them to pursue."

We cannot, sir, admit such a principle; we cannot admit it, at least without condition or limit, in an absolute, general, and peremptory sense.

It does not depend upon a nation from the mere fact of its having adopted such or such a form of government, to acquire with regard to foreign powers, more rights than it would have had, or to arrogate to itself other rights than those which it would have enjoyed under any other form of Government.

Nations are free to choose, without any constraint, the Government they please—precisely for this reason, and under this condition, that such a choice concerns them exclusively, and that whatever that choice may be, it cannot effect the rights, or injure the legitimate interests of other nations.

Now it is the acknowledged right of every Government, when the legal representative, or when the official organ of another Government, expresses himself publicly in reference to it, in language which is deemed offensive, to demand an explanation of it. Such a right the Constitution of the United States can neither abolish, modify nor restrict. It is an international right, (un droit international.) It suits the people of the United States to divide the power of the Union between the President and Congress? Be it so. It suits them to oblige the President to give publicity to Congress an account of the state of foreign relations. Their right is unquestionable. But that the President of the United States, the official organ, the legal representative of the Union towards foreign nations, thereby acquires the right to press himself publicly upon foreign Governments in language offensive to those Governments; that he should, in asserting the liberty, the freedom necessary for such communications, dispense with all reserve in his language, and with all responsibility towards the powers whom that language concerns, is what we cannot admit.

Irresponsibility (l'inviolabilite) whether it relates to persons, to acts, or to words, irresponsibility when it is legally established, is a pure national institution, a purely internal regulation, and can never be used as an argument in the intercourse which Governments hold with each other. If it were otherwise, and if we were disposed, after the example of Mr. Livingston, to carry the argument to its extreme consequences, it might be maintained that the President of the United States has the right, provided it be in a message to Congress, to impute publicly to foreign Governments and to foreign nations the most odious acts, the most perverse intentions; to hold them up publicly to the animadversion of the world, without these governments or these nations having the right to manifest the slightest resentment, since, according to this very strange doctrine, they would not even be allowed to take official notice of it.

We will simply observe, before we proceed:

First, that even supposing the explanations given

1st. The message impeaches the good faith of his Majesty's Government.
2d. It contains a threat to secure the execution of the treaty by the fear of reprisals.

It is indeed under this point of view that the message of President Jackson excited in France the greatest indignation. The Cabinet of Washington will readily admit that if the allegation were true, the indignation would be just. No government, no people, could for one moment bear without degradation either the direct or indirect imputation of a want of good faith, or the idea of another government or another people endeavoring to obtain from it through menace what could only be granted by it to justice. It must equally be admitted that when the impression produced by the appearance of any document is general; when that impression is felt, not only by the whole nation whom the document concerns, but even by foreigners, by uninterested people, by persons the least disposed to take a part in the contest, the very universality of that impression is a sufficient evidence against the general tenor of the document.

If we examine in detail the message of the President of the United States, (I mean that part of it which relates to the relations between the United States and France,) it will possibly be found that passing successively from phrase to phrase, none will be met with that cannot bear an interpretation more or less plausible; none, of which, strictly speaking, it cannot be said that it is a simple exposé of such or such a fact true in itself, or the assertion of such or such a right which no one contests, or the performance of such or such an obligation imposed on the President by the very nature of his functions. There will certainly be found several in which the idea of impeaching the good faith of the French Government, or of acting upon it through menace or intimidation, is more or less disavowed.

Yet when the whole succession of facts is taken into view, when we perceive the care which seems to have been taken to present them in an unfavorable light, without making allowance for circumstances which explained them, without paying any regard to considerations which the Government of the United States itself had previously admitted; when we see at the end of this uninterrupted series of allegations, which have the appearance of wrongs, for the sole reason that they are made to rest on isolated and incomplete statements, the unexpected proposition, the extreme proposition to say the least, to seize upon

French property, it is impossible at first view, it is even difficult after reflection, to escape the thought that all this part of the message had been written for the double purpose stated above. It is not so, however; at least we hope it is not.

But to banish entirely such an idea, what would be necessary? Nothing but what is very simple. We do not here contend about this or that phrase, this or that allegation, this or that expression; we contend about the intention itself, which has dictated that part of the message. If it be true that the President of the United States, in presenting to Congress a statement of the facts connected with the treaty of the 4th of July, had no intention to cast any doubt on the good faith of the French Government; if it be true that the President of the U. S. States, in proposing to Congress to decree the seizure by force of arms, of French property, had not the intention to assume, with regard to France, a menacing attitude, we cannot see how he could find any difficulty in declaring it.

Is such a declaration really contained in Mr. Livingston's note, addressed to the French Government on the 29th of January, or in that which the same minister left at his departure on the 27th of April?

We would be equally at a loss to affirm or to deny it; and for this reason it is evident that neither the one nor the other can be considered sufficient. The note of the 29th of January is intended to discuss, contradictorily with the French government, the correctness of facts asserted in the message of President Jackson. It is intended to prove that the view taken by him of these facts is at least plausible. It is in the midst of this long disquisition that two or three phrases are incidentally thrown out, on the just confidence which the government of the United States has always entertained in the sincerity of the French Government; confidence which Mr. Livingston had always made it a duty to foster, and which according to him, is not in contradiction with any of the ideas or allegations expressed in the message. The note of the 25th of April, is chiefly intended to make an indirect and anticipated examination of the amendment introduced by the Chamber of Deputies. While upon this examination, and with a view to prove that any demand for explanations would in future be useless in fact and inadmissible in principle, Mr. Livingston refers to the testimony given by him in his first note, to the good faith of the French Government; he refers to the subsequent sanction given by the President to the contents of that note; he dwells on the paragraph of the message of the President, in which all idea of threat is, he says, *expressly disavowed*.

You will easily conceive, sir, and the Cabinet of Washington will, we think, understand it also, that such phrases incidentally inserted in documents, the purport and tenor of which are polemical, and surrounded, in some measure, by details of a controversy which is besides not always free from bitterness, cannot dispel sufficiently the impression produced by the perusal of the

message, nor strike the mind as would the same idea expressed in terms simple, positive, direct, and unaccompanied by any recriminations concerning facts or incidents no longer of any importance. Such is the motive, which, among many others, has placed the French Government in the impossibility of acceding to the wish expressed by Mr. Livingston, towards the conclusion of his note of the 25th of April, by declaring (to the Chamber of Peers probably) that previous explanations given by the Minister of the United States and subsequently approved by the President, had satisfied it.

The impression produced by the perusal of the message was deep. It was so in France, in Europe, and even in the United States; the debates in Congress, and public notoriety sufficiently prove the fact. Under the weight of this impression, the French Government did not hesitate to place itself in a situation to meet the engagement contracted in the name of France. In pausing there for the present, and waiting for the fulfilment of these engagements to be claimed, or expecting them to be claimed, in terms consistent with the regard which is due, it is not afraid of being accused, nor France which it represents, of being accused of appreciating national honor by any number of millions which it could withhold, as a compensation for an injury offered to it. Mr. Livingston is the first to repel such an idea. Far from it; the French Government will consider as a fortunate day, the one in which it will be able to deliver up honorably the trust that lies in its hands. But each state has duties to perform towards itself—each situation has its exigencies. Mr. Livingston objects to the idea of seeing the President of the United States give a new testimony to the good faith of the French Government, lest such a step, reasonable and just in itself, should not appear to be exclusively dictated by justice and by reason. He will not be astonished if the French Government, on its side, attaches an equal importance, to show that in acknowledging openly a legitimate debt, and declaring itself ready to discharge it, it has exclusively consulted reason and justice.

You are authorized, sir, to read the present despatch to Mr. Forsyth; and, if he desires, let him take a copy of it.

Accept, sir, &c.
(Signed) V. BROGLIE.

LEXINGTON.

SATURDAY, FEB. 6, 1836.

CITY CHARTER.

Some of the friends of this oppressive tyranny are charging that there are many names signed to the petition for a repeal, of persons who are not entitled to the rights of citizenship, from non-age, non-residence, or some such cause. The whole number of signers is nearly six hundred and fifty. We suppose there may be some of them who are liable to objection, although great care was taken to exclude all such when the signatures were applied for. The list can be examined and all such stricken out, and we have no doubt there will remain at least six hundred legal voters of the City, by any power but its own citizens.

A SPECIAL MESSENGER, with despatches from the British Government, arrived at Washington on Tuesday the 26th January. It was currently reported that its import was, to offer the mediation of Great Britain as to the differences between France and the United States.

The Rail Road Bill still continues under the attention of the Legislature. The amendment of Mr. Wickliffe for striking out Cincinnati and inserting Maysville, was lost in the House by a vote of 46 to 50. And the amendment of Mr. Trapnell making Lexington a point in the work, was carried by a vote of 66 to 30.

CONGRESS.

In the House of Representatives, Jan. 22d the whole day was occupied in rather a boisterous kind of discussion, arising out of a resolution submitted by Mr. Adams, importing, that so much of the President's message as relates to the failure of the fortification bill, be referred to a select committee, with instructions to inquire into and report to the House the cause of its failure. Mr. Adams supported his resolution in a speech of great length and power, and contended that its failure was not caused by the H. Representatives. Mr. Wise followed and undertook to prove that its failure was not to be charged upon the House, or Senate, but upon Mr. Cembrele, Chairman of the Committee of Conference on the part of the House.

In the Senate on the 27th, a bill was brought in making an additional appropriation for the suppression of Indian hostilities, which was referred to the Committee on Finance. On the same day the Senate also proceeded to consider the resolutions, offered by Mr. Benton, appropriating the surplus revenue for the purposes of national defense.

A gentleman arrived in this city yesterday evening from Washington, with whom we have been conversing, informs us, that the highest indignation prevails in that city towards Mr. Calhoun, since the delivery of his French Speech, and that it was currently reported he would be burnt in effigy the day after his departure. He also states that the Administration never was more popular.

CITY SCHOOL.

We regret that circumstances prevented our attending the examination of the pupils of this Institution on the 28th and 29th ult., which we understand was a highly interesting one, and did great credit to the Principal, Mr. Gayle, and to the other Teachers of the School.

The number received into the School in the course of the session was, as we have learned, a little upwards of two hundred; about half of whom are the children of the poor, who are educated at the public charge—the remainder being the children of our wealthy citizens. Many

of January, for a moment supposed, that that vote would by legal enactment entail him upon the city for life? We answer, not one. And at the same election, in voting for Councilmen, who supposed, that one of them was by law to be made Chief Executive Officer of the City with a salary of \$200 per annum? Again we answer, not one. Was it the wish of the citizens as expressed either by petition or delegates that such a change should take place? assuredly not.—It is evident then that some side-wind agency, some vile, clandestine working has been at the bottom of the nefarious imposition that has been foisted upon the people of Lexington. By whom, or when, or where, the plan has been concocted and put into execution, we will not undertake to say, but it is notorious as the Sun at noonday, that there have been some agents, who have secretly paved the way for its passage through the Legislature.

According to the Constitution, the Judges shall receive their salaries from the public Treasury; but Lexington unlike any other Judicial District, must pay the salary of her Judge into the public Treasury. Some expense in transport to and from the Treasury might be saved, by paying the \$500 here, without the trouble of sending it to Frankfort. But this is a trick, too low for honorable men, to make an act *literally constitutional*, which in spirit and essence is not so.

There is one point remaining of this amendatory act, which may be well termed "an amendment of *appreciating national honor by any number of millions which it could withhold, as a compensation for an injury offered to it*." Mr. Livingston is the first to repel such an idea. Far from it;

of the pupils, we are pleased to learn, are advanced in useful knowledge, and are likely to become as business men, valuable members of society.

Caleb J. Sanders, Wilson Grady, Wm. Sidenor, Hamilton Atchison, Jr., John P. Innes, Robert Carrick, Wm. G. Sanderson, David Glass, Esq., and S. Pilkington. Omitted in the original publication of Delegates to Frankfort on the 22d instant, a part of the list having been mislaid.

In many of the opposition prints we have observed complaints long and loud, against the Post Office Department, for the failure of mails, without any apology or explanation of the cause—yet in other columns of the same papers, the readers are informed that ice has rendered the rivers impassable, and snow storms have so blocked up the roads, that travelling is impossible. This is like blowing hot and cold with the same breath. A more sufficient, or a better exculpation for any irregularity that happens, could not easily be found than what those same gentlemen publish.

We publish to-day the remaining documents accompanying the President's Message, together with the suppressed letter of the Duke de Broglie, and the Globe's reply. We refrain from making any comment, leaving it to our readers—now that they have a full view of the question—to draw their own conclusion. But we think we would not be hazarding too much in saying, that ninety-nine out of every hundred of those whose minds are unsophisticated by the perverse glosses of those factious revilers, whose maxim seems to be to oppose all things that have any connection with the Administration, however justly they may be called for by the exigency of the country—will give to the Executive their most unqualified approbation.

We understand from a gentleman just arrived from Frankfort, that the Charleston, Cincinnati, Louisville and Lexington Rail Road Bill has passed the House of Representatives. Of its special provisions, we are not yet apprised.

General Ewing, Senator from Illinois, has indignantly repelled the charge of his being tainted with Whiggery.

A large meeting has been lately held at Cincinnati, at which, resolutions were passed condemnatory of the course of the Abolitionists.

The House of Assembly of New Jersey have passed resolutions, approving in every way the conduct of the President in reference to France, and instructing their Senators and Representatives in Congress to support every measure necessary to increase our naval force, and put our sea-board in a complete state of defence.

TO THE CITY OFFICERS.
Gentlemen:

From last Saturday's Gazette, I observe you have got pretty little fat births of it—\$5,686, besides fees, say two or 3000 more, among a dozen or a dozen and a half of hungry maws, is no bad grab. No wonder that you and your friends, (by the bye a lean minority of the citizens,) cry hurrah for the charter!—for you must certainly fatten under such a blessed order of things. No wonder you were panic struck at Judge Hickey's decision—you saw want and misery staring you in the face, and raised the cry of "support good order and morals—a amend the charter—get a police judge." You pursued us that the supporters of the charter were the friends of order—you kept us in the dark (and still try to do so) as to the particulars of your expenditure. Some person has taken the trouble to throw some light on it, and a pretty business it is—it would appear you pocket the small sum above noted, which is about ten dollars for every vote in the city, or upwards of one dollar for every man, woman and child, white and black, within the city limits. Your whole expenditure is nearly thirty dollars a voter, or upwards of three dollars ahead for each inhabitant. I think with Dr. Franklin that this is paying dear, too dear for the whistle.

Pray, if you are not too busily engaged

in ferreting out causes for his honor, the newly made Judge, to bring grist to the mill—of the Marshal, Clerk, &c. &c.—be so kind and condescending as to inform us, the poor tax payers, what came of the butter seized from county people last year? Who pocketed the fines of negroes last year? Was there no balance due from or to the city in 1834?—What has become of the rail road dividend made last summer? What is the amount of the city liabilities at this present time? It certainly is but fair that we should know this—and but common

honesty that you should account for your intromissions some way or other.

TAX PAYERS.

Further advices from Florida.—Yesterday the schooner S. S. Mills, Captain Southwick, arrived from St. Augustine, bringing the St. Augustine Herald of the 13th instant, and the schooner George and Mary, Capt. Willey, also arrived, from St. John's (Florida,) by which vessels we received the Jacksonville Courier of the 14th inst. from which we have made some extracts.

We learn from Mr. Forrester, a passenger in the S. S. Mills, that the Indians were within fifteen miles of St. Augustine, which was guarded when he left, by only about seventy men, capable of bearing arms; and that had the Indians made a descent upon it, in force, there is little doubt but that they would have succeeded in their attack. The succour they would receive, however, by the John Stoney, of troops and arms, would render that place secure.

Capt. Willey informs us, that when he was at Jacksonville, he proceeded up the St. Johns to Mandarin, to effect the removal of the schr. Motion, which vessel was lying there dismantled, and it being feared that she would be destroyed by the Indians, who were said to be in the vicinity. On his arrival at Mandarin, he found the Motion filled with men, women and children, black and colored, to the number of 130, who had fled to her for safety, with the intention, if the Indians came, to defend themselves, until the vessel could be brought down the river. At the solicitation of the persons on board, Capt. W. allowed the schooner to remain, until they could erect a fort, so that they could protect themselves.

A company of 55 U. S. troops, raw recruits arrived at Jacksonville about the 8th inst., from New York, but they were entirely unprovided with arms, ammunition, or provisions. They were, however, supplied with the former, out of the quantity taken on from her by Captain Willey; and provisions had been obtained from Picolata.—*Charleston Courier.* *Jan. 19.*

We understand that Major General Scott was ordered last week to Florida to take the general direction of the operations in that quarter; and with full authority to call upon the Executives of South Carolina, Georgia, Alabama and Florida, for whatever militia force may be necessary. He has been directed to push the campaign in the most vigorous manner, and to reduce the Indians to unconditional submission.

We further learn, that the disposable regular force, which can properly be moved, is either in Florida or on the way. The garrisons on the sea coast have either been sent there, or have been reduced to the smallest practicable number.—Circumstances have rendered necessary the removal of the 6th regiment from Jefferson Barracks to the Mexican frontier, and Gen. Gaines has been ordered to proceed thither to take the command in that quarter.—*Globe.*

CUMBERLAND FORD, Ky. Jan. 25, 1836.

MESSRS. FINNELL & WICKLIFFE,

As it may interest some of your readers to know the quantity of stock passing this road in the southern market in the year 1835, I give you a list below:

Your obedient servant,

JAMES RENFRO.

Horses 4716 prob. vs. in market \$533,360
Mules 1951 mules included 104,370
Staifl Beef 2485 do do do 104,370
Sheats 2887 do do do 18,000
Sheep 1320 do do do 3,280
Hogs 69187 do do do 1,087,502

\$1,698,812

Louisville, Jan. 30.

We were congratulating ourselves during the first part of last week, with the thought, that old Winter had wrapped himself up in fur, and taken his departure for the north rather earlier than usual; but if he had started he soon turned his course, and paid us, during this week, quite a rough visit: the river is entirely blocked above Cincinnati, and the Swiflfire and Clinton got down on Thursday with difficulty. The weather however moderated yesterday, and we think that the river will not remain long impeded.

REVIEW OF THE MARKET.

Bagging and Rope.—We understand some considerable transactions took place in these articles last week, of which, although we applied for it, we received no information, we have no other source from whence to obtain it: we wish to make the Price Current a useful paper, but we cannot do it without their assistance. There is nothing done in the article this week.

Coffee.—There has been considerable receipts of this article, 683 bags, but we hear of no sales of consequence, or any alteration in our last prices.

Sugar.—The importation is increasing; some small sales have been effected at 10¢ cents cash.

Pork.—We do not hear of any thing doing in this article this week of consequence, prices as per quotations.

Fleur.—No transactions of consequence in this article. We still quote from \$7 00 to \$7 25 as the nominal price.

Whiskey.—Is arriving briskly, and sells readily at from 43¢ to 44 from wagons, 44 to 45 from stores. Shipped 167 bbls.

Tobacco.—The receipts of this article are increasing. 106 hds. were received at Todd's warehouse during the week; some prime hds. brought from \$7 00 to \$6 50—much however has not been shipped.

We know of no other articles we can say anything about this week. The cold weather has rendered business uncommonly dull.—*Price Current.*

TEMPERANCE ADDRESS.

Rev. EDWARD STEVENSON, will deliver an Address on the subject of Temperance, in the Methodist Episcopal Church, on Sunday evening next, 7th inst. at 7 o'clock. The citizens and public generally are respectfully invited to attend.

Lexington, Feb. 2, 1836.

SIR LOVELL,

Twelve years old this grass—a beautiful blood bay, black mane and tail,

BY DURCO.

PEDIGREE.

This distinguished race horse was bred by Samuel Fidley Esq. of New York and foaled in May, 1832; he was got by Durco, sire of Eclipse; his dam by the imported horse Light Infantry, his grandam by old Messenger, his great grandam by Bashaw, his g. g. grandam by True Britton, his g. g. g. grandam by Sterling.

PERFORMANCE.

On the Union Course, L. I., when 3 years old, Sir LOVELL ran a match against a Dismal Colt of C. R. Colden's, three mile heats, and won, distancing his antagonist:—when 4 years old he won the two mile sweepstakes, over the Union Course, L. I., beating five good horses. In the fall of the same year he was trained again, and ran the \$200 purse, two mile heats, over the Poughkeepsie course, which he won with ease, beating Hotspur, Timoleon, and a number of other celebrated horses. The night following, his groom fountained him—notwithstanding, on the last day of the same month, (October) he won a sweepstakes, three mile heats, over the New Market Course, L. I., beating Grey Roman (out of Ariel's dam) and many others.



CAR HOURS.

LEXINGTON.
THE Mail Car will leave Lexington every afternoon at 3 o'clock, and arrive at the Depot in Frankfort, at seven o'clock, P. M.

FRANKFORT.

The Mail Car will leave Frankfort every morning at nine o'clock, and arrive at Lexington, at one o'clock, P. M.

THE LOCOMOTIVE will leave Lexington every MONDAY, WEDNESDAY and SATURDAY at seven o'clock—returning same days, leave Frankfort at one o'clock, P. M.

January 12, 1836—2-1t

REMOVAL.

CABINET MAKING.
The subscriber respectfully informs his old customers, and the public generally, that he has removed his CABINET SHOP and Dwelling House to the stand formerly occupied by J. J. Sheridan, on Main Street, immediately opposite the Masonic Hall; where all articles in his line of business can be had on short notice, and good terms. He invites all wishing to purchase to call upon him.

VANNY'S PATENT BEDSTEADS made to order on short notice.

JOSEPH MILWARD.

Lexington, Dec. 12, 1835—2-1t

TEXAS.

I HAVE FOR SALE, a large quantity of TEXAS SCRIP, in Leftwick's grant, adjoining and immediately above Austin's Colony, including the Brassos and extending to the Colorado river. This is the most fertile part of Texas. Any person wishing to emigrate to, or engage in a speculation in land in this delightful region, would do well to apply to the undersigned, who will give a first rate bargain in all respects to suit the purchaser. Apply to Mr. P. Scott at Dr. Whiteley's in Lexington, to the subscriber, or D. C. Overton, at the late residence of Waller Overton, deceased, five miles from Lexington, near the Bonne-boro' road.

JOHN W. OVERTON.

January 5, 1836—2-1t

A FARM TO BE RENTED, NEAR the Turnpike Bridge, 6 miles from Lexington, calculated for a desirable residence, and from the advantages of creek water and pasture, admits of being made a profitable Stock Farm. Enquire at J. KEISER'S, Lexington Hotel.

MARY PARKER.

January 12, 1836—2-1t

— A good BLACKSMITH to be hired. Enquire of J. KEISER.

MESSENGER DUROC.

WILL stand the ensuing season at my stables on the Lexington Association course. Particulars &c., made known in due time.

Pedigree in a concise form.

Messenger Duroc, by Duror; dam Vincenta, by Messenger; slender; Lath; Wildair; True Briton; Starling; Partner; Smiling Tom—Traveler's dam by Almanzor; Bay Bolton's sister by Grey Hautboy; Makeless; Brimner; Diamond; Sister to the dam of old Merlin by Bustler.

JAMES SHY.

January 10, 1836—2-1t

DR. W. J. BASHAW,

SURGEON DENTIST.

HAS arrived in Lexington, and taken lodgings at Miss Susan Cook's, where he renders his services in his profession to those who may need his services.

Lexington, Jan 16, 1836—2-3t

— The Observer & Reporter will insert the above 3 times.

NEW GROCERY STORE.

LEO TIBBATS,

RESPECTFULLY announces to his friends and the public generally, that he has commenced the Grocery business at his father's old stand, Short-street, opposite the Court-house, where he intends to keep a general assortment of

GROCERIES,

FOREIGN & DOMESTIC LIQUORS; and all such articles as are usually sold by Grocers.

Lex. Sept. 17, 1835—45-3m

ALL NEW.

THE subscriber grateful to his friends and the public generally for past favors, would respectfully inform them, that after having been engaged in manufacturing Tobacco for the last 15 years, he has been compelled, in consequence of the scarcity of leaf Tobacco, to change in some measure, his business. He has therefore just received and will keep constantly on hand a complete assortment of

FRESH GROCERIES;

A part of which is as follows: 50 Sacks COFFEE, 30 Barrels No. 3 MACKEREL, fresh 1835, 10 Boxes Fresh Blow Raisins, 6 Drums Figs, first quality, 2 Barrels of first rate strained Honey, 2 Barrels Chestnuts, first quality.

A complete assortment of SHOES & BOOTS, of a superior quality.

7 Dozen Willow Market Baskets, of assorted sizes, Allspice, Ginger, Pepper, Indigo, Shot; Also, 2 Barrels of first quality LOAF SUGAR. A complete assortment of GROCERIES, of all kinds, will be kept constantly on hand, low for Cash, or fine Leaf Tobacco.

The highest price will be given for forty to fifty thousand pounds of Tobacco in the leaf, of a first rate quality.

ROBERT GRAY.

N. B. Tobacco and Segars kept constantly on hand as usual.

Lexington Jan 1, 1836—1-1t \$1*

NOTICE TO TRESPASSERS

ON THE RAIL ROAD.

IT has become indispensably necessary to put a stop to the using of the Lexington and Ohio Rail Road as a public highway, by persons on horseback. Notice is therefore given, that the penalties of the laws will be rigidly enforced in future, against all trespassers who may ride on the road or its embankments, or drive carts, wagons, or other vehicles thereon. This caution is intended to protect the lives of those who may venture upon the road, as well as the company's property; being impossible, in some situations, to stop the Locomotive in time to prevent accidents.

The 23d section of the Charter fixes the penalty, for injury done the road, cars or machinery, at Five Hundred Dollars.

The 4th section of an amendatory law, passed February 2d, 1833, enacts, that it shall not be lawful for any person to ride on the Rail Road or its embankments, or to drive thereon carts, or other vehicles, and any person offending herein, shall be liable to be prosecuted and fined before a Mayor or a Justice of the Peace, in the same manner as is prescribed in other and like cases, for trespass and misdemeanor.

By order of the Board of Directors,

THOMAS SMITH, Pres't.

Dec 23, 1835—51-6t

(—Intelligence and Gazette 6 times.—Observer and Reporter.

NORTHERN BANK OF KENTUCKY STOCK. Wanted to purchase a few hundred Shares.

DAVID A. SAYRE.

July 19 1835—2-1t

STATE OF KENTUCKY, BOONE CIRCUIT COURT SC., NOVEMBER TERM, 1835.—Currie's heirs &c. complainants vs. Jacob Fowler, Tibbs' heirs &c. defendants, In Chancery. This day came the complainants by their attorney, and on their motion, it is ordered and made known, "John Spence and Mary F. Spence, Thos Triplett and Margaret C. Triplett, Duval and Nancy F. Duval, Thomas Tibbs, Foushee Tibbs, Willoughby Tibbs and Samuel Tibbs, heirs at law of Willoughby Tibbs, dec'd, and to all unknown claimants of ten thousand acres of land lying on the waters of Big Bone creek in the now county of Boone, entered and surveyed in the name of Isaac Melchor which is as follows: "May 11th 1780, Isaac Melchor enters 10,000 acres upon Treasury warrants, on the Big Bone creek, beginning at the fork about 3 or 4 miles above the lick and running up both forks including its branches." That on the Friday next before the last Saturday in May 1836, at the house of Henry Lee in Mason county, the complainants in this cause will take the deposition of said Lee, and on the said last Saturday of May 1836, they will take the deposition of Thos. Young, at his residence in said county of Mason, and at the house of John P. Gaines in Boone county, on the first Saturday of June 1836, they will take the deposition of John Tiedall, for the purpose of perpetuating the testimony of said witnesses in regard to the validity of said claim which said complainants profess to hold, and in regard to the invalidity of interfering claims.

It is directed that this order be published six times in the Kentucky Gazette and that there be at least four months between the first advertisement and the taking of said depositions, A copy attest.

CH: CHAMBERS, c. b. o.

December 19, 1835—50-6t

CAREY'S LIBRARY OF CHOICE LITERATURE.

TO say that this is a reading age, implies a desire for instruction, and the means to gratify that desire. On the first point, all are agreed; on the second, there is diversity both of opinion, and of practice. We have newspapers, magazines, reviews; fine pamphlets of all sizes, on nearly all subjects, which have severally their classes of readers and supporters. And yet, copious as are these means of intellectual supply, more are still needed. In addition to the reviews of the day, and passing notices of books, the people, in large numbers, in all parts of our great republic, crave the possession of the books themselves, and details, beyond mere passing allusion, of the progress of discovery in art and science. But though it be easy to ascertain and express their wants, it is not so easy to gratify them. Expense, distance from the emporium of literature, engrossing occupations which prevent personal application or even messages to libraries and booksellers, are so many causes to keep people away from the feast of reason, and the enjoyment of the coveted literary aliment. It is the aim of the publishers of the Library to obviate these difficulties, and to enable every individual, at a small cost and without any personal effort, to obtain for his own use and that of his favored friends or family, valuable works, complete, on all the branches of useful and popular literature, and that in a form well adapted to the comfort of the reader.

The charm of variety, as far as it is compatible with morality and good taste, will be held constantly in view in introducing the Library, to fill the pages of which, the current literature of Great Britain, in all its various departments of Biography, History, Travels, Novels and Poetry, shall be freely put under contribution. With perchance, occasional exceptions, it is intended to give entire, the work which shall be selected for publication. When circumstances authorize the measure, re-publication will be had to the literary stores of Continental Europe and translations made from French, Italian, or German, as the case may be.

Whilst the body of the work will be a reprint, or at times a translation of entire volumes, the cover will exhibit the miscellaneous character of a Magazine, and consist of sketches of men and things, and notices of novelties in literature and the arts, throughout the civilized world. A full and regular supply of the literary monthly and bi-monthly journals of Great Britain and Ireland, in addition to home periodicals of a similar character, cannot fail to provide ample materials for this part of our work.

The resources and extensive correspondence of the publishers, are the best guarantee for the continuance of the enterprise, in which they are now about to embark, as well as for the abundance of the materials to give it value in the eyes of the public. As far as judicious selection and arrangement are concerned, readers will, it is hoped, have reason to be fully satisfied, as the editor of the Library is not a stranger to them, but has more than once obtained their favorable suffrages for his past literary efforts.

JUN. 26, 1834.—27-1t

TERMS.

The work will be published in weekly numbers, in stitched covers, each number containing twenty imperial octavo pages, with double columns, making two volumes annually, of more than 520 octavo pages, each volume; and at the expiration of every six months, subscriber will be furnished with a handsome title page and table of contents.

The whole amount of matter furnished in a single year, will be equal to more than forty volumes of the common sized English duodecimo books, the cost of which will be at least ten times the price of a year's subscription to the "Library." The paper upon which the Library will be printed, will be of the finest quality used for book-work, and of a size admirably adapted for binding. As the type will be entirely new, and of a seat appearance, each volume, when bound, will furnish a handsome, as well as valuable, and not cumbersome addition to the libraries of those who patronize the work.

For terms, apply at the store of B. W. & H. B. TODD, Lexington, or at the Institution, 12 miles east of Lexington.

HUGH B. TODD.

JACOB HUGHES, Esq.

DOCT. J. KENNARD,

MAJ. NEAL McCANN,

PATTON HARRISON, Esq.

GILSON BERRYMAN, Esq.

Fayette Co. Ky. Jan. 27, 1836—4-1t

VALUABLE PROPERTY FOR SALE.

THE subscriber wishing to remove to Illinois, will dispose of his mills and farm on Floyd Fork on reasonable terms. This property lies about 16 miles from Louisville, and is in a healthy situation. The farm contains about 305 acres, about 125 of which is bottom land of good quality. The dwelling is tolerable, and very handsomely situated. The mills are an excellent saw mill, a grist mill of two pairs of stones, and a good horse mill. Possession given at any time.

CHARLES G. DORSEY.

JAN. 18, 1836—4-3t

SALE POSTPONED.

The following sale, which was to have taken place on the 27th of this month, is postponed until Wednesday, the 17th of February next.

LAND, HORSES, CORN, HEMP, &c. AT PUBLIC SALE.

Address LOUIS A. GOODEY.

No. 100 Walnut St. Philadelphia.

Dec. 22, 1835—51-1t

JOE GREEN,

LATE OF PHILADELPHIA,

CHAIR MANUFACTURER,

CONTINUES the above

business opposite the Main

Hall, on Main Street.

He has on hand, and offers for

sale on reasonable terms, a

large and splendid assortment

of FANCY & WINDSOR CHAIRS

of all descriptions—also, Settees, Rocking

Chairs with cane backs and seats Boston,

and other kinds, all of which are manufactured

of the best materials, and warranted well made.

Old Chairs repaired and painted; Copal Varnish for

seats, tables, chairs, &c.

Wanted, a good fancy Chair maker; also, a

Painter and Ornament; none but good workmen

need apply; to such, constant employment and

good wages will be given.

An apprentice well recommended will be taken.

Lexington, July 23, 1834.—29-1t

CITY LICENSES.

THE Mayor and Board of Councilmen of the City of Lexington, at their stated meeting, to be held in the Council Chamber on the first Thursday in February, 1836, will hear applications for Licenses to Tavern-keepers, Coffee, Porter and Beer-house keepers, Confectioners, Victuallers, Draymen, Wagons and Carts, plying for hire, Brokers, Hucksters, &c. within the city, will be issued the same day of sale, and charge of this office.

WILL, S. WALLER. Cash'r.

JAN. 8, 1835—27-1t

CANDLES AND LEATHER.

1000 BOXES dipt and moulded. 15,000 lbs. Spanish leather—for sale by

MONTMOLLIN & CORNWALL.

P. S. As it is our wish to close our consignment of Leather, Shoemakers and dealers in it, we expect bargains.

GAB'L. I. MORTON,

A. B. MORTON.

JAN. 1, 1836—52-1t

Dissolution of Partnership.

The Firm of Gab'l. I. Morton and A. B.

Morton, trading under the firm of MORTON & CO.

in a Bagging concern in Fayette county, has been